

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

CHRYSSTOPHER LEE, #1011188,

Plaintiff,

v.

CIVIL ACTION NO. 3:08-cv-99

PATRICK GURNEY, et al.,

Defendants.

MOTION FOR SUMMARY JUDGMENT

Defendant Douglas M. Vaughan, by counsel, respectfully moves this Honorable Court pursuant to the provisions of Rule 56, Federal Rules of Civil Procedure, to enter its order granting him summary judgment. Because Defendant Vaughan's Motion amplifies upon the reasons why summary judgment should be appropriate for any prison official sued in this proceeding, Defendants Gurney and Washington join in this Motion also. Those facts, circumstances and legal authorities in support of this Motion appear more particularly in the Brief submitted in conjunction with this Motion.

Respectfully submitted,

DOUGLAS M. VAUGHAN, PATRICK GURNEY
& G. K. WASHINGTON

By _____ /s/
Mark R. Davis, SAAG, VSB #18830
Attorney for Defendant
Office of the Attorney General
Public Safety & Enforcement Division
900 East Main Street
Richmond, Virginia 23219

(804) 786-5631
(804) 786-4239 (Fax)
mark.davis@oag.state.va.us

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of April, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following: N/A

And I hereby certify that I have mailed the document by United States mail to the following non-filing user:

Chrystopher Lee, #1011188
Nottoway Correctional Center
Post Office Box 488
Burkeville, Virginia 23922

/s/

Mark R. Davis, SAAG, VSB #18830
Attorney for Defendant
Office of the Attorney General
Public Safety & Enforcement Division
900 East Main Street
Richmond, Virginia 23219
(804) 786-5631
(804) 786-4239 (Fax)
mark.davis@oag.state.va.us